

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 7097 PCB CCJP 10-05 Juvenile Justice
SPONSOR(S): Criminal & Civil Justice Policy Council and Weinstein
TIED BILLS: **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Criminal & Civil Justice Policy Council	13 Y, 0 N	Mato	Havlicak
1)	_____	_____	_____	_____
2)	_____	_____	_____	_____
3)	_____	_____	_____	_____
4)	_____	_____	_____	_____
5)	_____	_____	_____	_____

SUMMARY ANALYSIS

The bill removes references to the Juvenile Justice Standards and Training Commission, which sunsetted in 2001, and provides that the Department of Juvenile Justice is responsible for staff development and training at delinquency programs owned and operated by the Department.

Juvenile Justice Standards and Training Commission (the Commission) was created to provide a systematic approach to staff development and training for judges, state attorneys, public defenders, law enforcement officers, school district personnel, and juvenile justice program staff. The Commission was created under the Department of Juvenile Justice (the Department). The purpose of the Legislature in creating the Commission was to foster better staff morale and reduce mistreatment and aggressive and abusive behavior in delinquency programs.

Since the Commission sunsetted in 2001, the Department of Juvenile Justice has assumed all of the duties of the Commission.

The bill appears to have no fiscal impact.

The bill takes effect July 1, 2010.

HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation:

Section 985.66, F.S., created a Juvenile Justice Standards and Training Commission (the Commission) to provide a systematic approach to staff development and training for judges, state attorneys, public defenders, law enforcement officers, school district personnel, and juvenile justice program staff. The Commission was created under the Department of Juvenile Justice (the Department). The statute laid out specific requirements for the composition of the members of the Commission and its responsibilities.

The Commission sunsetted on June 30, 2001, and was not reenacted. The Department has since taken over all of the duties and responsibilities of the Commission and continued to operate the training programs.

The Department is not responsible for training of contracted providers.

Section 985.66, F.S., authorized the creation of the Juvenile Justice Training Trust Fund in 1990.¹ The trust fund is funded by one dollar for every noncriminal traffic infraction collected pursuant to ss. 318.14(10)(b) and 318.18, F.S. and it may receive funds from any other public or private source.² This trust fund paid for the Juvenile Justice Standards and Training Commission, while it was in effect, and continues to be used by the Department to pay for their current training operations. Estimated expenditures for the Department's training program, paid by the trust fund, for the previous three years are:

FY 2006-07: \$2,250,373

FY 2007-08: \$2,235,307

FY 2008-09: \$2,159,220

No new expenditures will be required by this bill as the Department will continue to use money from the trust fund.

¹ Ch. 90-208 L.O.F.

² S. 985.66(4)(b) and (c), F.S.

Effect of the bill:

The bill amends s. 985.66, F.S. to eliminate the Juvenile Justice Standards and Training Commission and give the Commission's responsibility for staff training to the Department of Juvenile Justice. It removes details about the composition of the Commission and references to the Commission, but otherwise leaves the same powers and duties to the Department. It also changes any reference to the "commission" to "department and "juvenile justice personnel" to "department program staff."

The bill adds a definition of "department program staff" as: supervisory and direct care staff of a delinquency program as well as support staff who have direct contact with children in a delinquency program that is owned and operated by the department. The definition clarifies these changes are only applicable to state-operated programs and these training requirements are not applicable to private contractors.

The bill amends s. 985.48, F.S. to eliminate references to the Juvenile Justice Standards and Training Commission and its duties to establish criteria for training all contract and department staff to effectively manage and provide services and treatment to juvenile sexual offenders.

B. SECTION DIRECTORY:

Section 1 – amends s. 985.66, F.S., relating to juvenile justice training academies; Juvenile Justice Standards and Training Commission; Juvenile Justice Training Trust Fund.

Section 2 – amends s. 985.48, F.S., relating to juvenile sexual offender commitment programs; sexual abuse intervention networks.

Section 3 – Provides an effective date of July 1, 2010.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None. The bill does not add any new duties or responsibilities to the Department of Juvenile Justice. It has been performing the training function since 2001.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require counties or municipalities to take an action requiring the expenditure to funds, reduce the authority that counties or municipalities have to raise revenue in the aggregate, nor reduce the percentage of state tax shared with counties or municipalities.

3. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES